

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FILED

OCT 11 2018

In re:	:	Case No.:	17-21310-GLT	CLERK, U.S. BANKRUPTCY COURT WEST DIST. OF PENNSYLVANIA
	:	Chapter:	13	
Mathew E. Zupancic	:			
	:			
	:	Date:	10/10/2018	
Debtor(s).	:	Time:	10:00	

PROCEEDING MEMO

MATTER: #93 - Relief from Automatic Stay by Tri Bor FCU
#95 - Response by Debtor

APPEARANCES:

Debtor: Abagale Steidl
Trustee: Owen Katz
Tri Boro FCU: Matthew Golvash

NOTES:

Golvash: My concern was how the deficiency balance would be addressed by the plan, because if we are not paid in full then we would like to proceed with seeking relief from stay.

Court: Why has an amended claim not been filed with respect to the balance owed following the liquidation of the collateral?

Golvash: We were awaiting the outcome of this motion. If we filed a claim with the debtor, we would be subject to unsecured status even though we have a codebtor who is not in bankruptcy and who is liable for the whole amount.

Court: You have an obligation to update your claim following the liquidation of the collateral.

Golvash: If the debtor is willing to pay us in full for the amount stated in the plan then we are amenable.

Steidl: We are willing to pay the full amount through the plan, but we would like an amended claim to be filed showing how the creditor reached the amount that they are claiming because we believe it to be high. We would classify it as a specially classified debt and raise the percentage paid to the other unsecured claims.

OUTCOME:

1. On or before October 24, 2018, Tri Boro to file an amended proof of claim (Text order to issue).
2. On or before November 9, 2018, Debtor to file an amended plan (CT to prepare).
3. The hearing on the Motion for Relief from Stay [Dkt. No. 93] is continued to December 5, 2018 at 10:00 a.m. (Text order to issue).

DATED: 10/10/2018